18-60054 Case NOR

IN RE: FEDERAL GRAND JURY 07-1005(FTL)

#### **SEALED DOCUMENT TRACKING FORM**

Party Filing Matter Under Seal		name:	Name:IFFERFY A NFIMAN, AUSA				
		Address:	500 F. Broward Boulevard, Suite 700, Ft Lauderdale F				
		Telephone:	(954)	) 356-7255x3595			
On behalf of (select one):		⊠ Plain	tiff	□ Defendant			
Date sealed document filed:				<u>.</u>			
If sea	led pursuant to statute, cite s	statute:					
If sea	led pursuant to previously er	ntered protectiv	ve ord	er, date of order and docket entry number:			
The n	natter will remain sealed unti	l:					
	Conclusion of Trial		⊠	Arrest of First Defendant			
	Case Closing			Conclusion of Direct Appeal			
	Other						
	Permanently. Specify the	authorizing la	w, rule	e, court order:			
The n	noving party requests that wi	nen the sealing	perio	od expires, the filed matter should be (select one):			
■ Unsealed and placed in				□ Destroyed			
the p	ublic portion of the court file						
□ Re	turned to the party or counse	el .					
for the party, as identified above							

Attorney for: United States of America

08-60054

CR-ZLOCH

ENOW

008 MAR - 6 PH 12: 22

IN RE: FEDERAL GRAND JURY 07-1005(FTL)

#### **MOTION TO SEAL**

The United States of America, by and through the undersigned Assistant United States Attorney for the Southern District of Florida, hereby moves for an order sealing the Indictment, Penalty Sheets, Certificate of Trial Attorney, Arrest Warrants, Bond Recommendation Sheets, this Motion to Seal, and Sealing Order (except for copies to be used by law enforcement personnel during execution of their official duties in the investigation), and ordering such items to remain sealed in the custody of the Clerk of the Court until such time as the defendant has been arrested. Sealing of the above-referenced documents is necessary because if the defendants were to learn that they are named as a defendants, they might flee the jurisdiction.

WHEREFORE, the United States respectfully requests that this Court order that the Indictment, Penalty Sheets, Certificate of Trial Attorney, Arrest Warrants, Bond Recommendation Sheets, Motion to Seal, and this Sealing Order (except for copies to be used by law enforcement personnel during execution of their official duties in the investigation) granting the same be SEALED until the first defendant is arrested.

Respectfully submitted,

R. ALEXANDER ACOSTA UNITED STATES ATTORNEY

Date: 3/6/08

By:

JEFFREY A. NEIMAN

ASSISTANT UNITED STATES ATTORNEY

Court Bar No. 544469

500 East Broward Boulevard, Suite 700

Fort Lauderdale, Florida 33394

Tel. (954) 356-7255, ext. 3595

Fax. (954) 356-7336

JAN:hkp

#### UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA

08-60054 CR-ZLOC

IN RE: FEDERAL GRAND JURY 07-1005(FTL)

#### **ORDER TO SEAL**

This cause comes before the Court on the Government's Motion to Seal. Considering the grounds raised in said motion, and the Court being otherwise advised in the premises,

IT IS HEREBY ORDERED that the Indictment, Penalty Sheets, Certificate of Trial Attorney, Arrest Warrants, Bond Recommendation Sheets, Motion to Seal, and this Sealing Order in the above-captioned matter shall be sealed (except for copies to be used by law enforcement personnel during execution of their official duties in the investigation) and shall remain sealed in the custody of the Clerk of the Court until such time as the first defendant is arrested.

DONE AND ORDERED in Chambers at Fort Lauderdale, Florida this

cc:

UNITED STATES MAGISTRATE JUDGE

AUSA JEFFREY A. NEIMAN

08-60054

CASE NO CR - ZLOCH
18 U.S.C. § 371
26 U.S.C. § 7206(1)

UNITED STATES OF AMERICA

vs.

EARL R. WOLFE, LINDA C. EDELL, and LAWRENCE W. LEGEL

Defendants.

6 PN 12: 24

#### **INDICTMENT**

The Grand Jury charges that:

#### **GENERAL ALLEGATIONS**

At all relevant times to this indictment:

- 1. The Internal Revenue Service (IRS) is an agency within the Department of Treasury responsible for administering and enforcing the tax laws of the United States and collecting taxes owed to the Treasury of the United States by its citizens and other various entities.
- 2. As used herein, "income tax" refers to the tax on income earned within the United States by United States citizens and others as provided for under federal law. In general, federal law requires every individual whose income meets or exceeds certain minimal amounts to file a federal income tax return and pay federal income tax due for each year.
- Defendant EARL R. WOLFE was employed as an unlicensed architect. Defendant WOLFE and defendant LINDA EDELL are common law spouses who live together at 13149
   153<sup>rd</sup> Road North, Jupiter Farms, Florida (Jupiter Farms Property).

4. Defendant LAWRENCE W. LEGEL is a Certified Public Accountant in the State of Florida.

#### COUNT ONE (18 U.S.C. § 371)

5. The allegations contained in paragraphs 1 through 4 of the Introduction are realleged and incorporated therein.

#### THE CONSPIRACY

6. From in or about 1992, the exact date being unknown to the Grand Jury, and continuing thereafter up until the date of this indictment, in the Southern District of Florida and elsewhere,

#### EARL R. WOLFE, LINDA C. EDELL, and LAWRENCE W. LEGEL,

defendants herein, did unlawfully, willfully, and knowingly conspire and agree together and with other individuals both known and unknown to the Grand Jury, to defraud the United States for the purpose of impeding, impairing, obstructing, and defeating the lawful government functions of the Internal Revenue Service of the Treasury Department in the ascertainment, computation, assessment, and collection of the revenue.

#### OBJECT OF THE CONSPIRACY

7. It was the purpose and the object of the conspiracy for the defendants to defraud the United States government by utilizing sham corporate entities, nominee bank accounts, and other surreptitious means to conceal the business income and assets of defendant WOLFE from the Internal Revenue Service.

#### **MANNER AND MEANS**

The manner and means by which the defendants sought to accomplish the object of the conspiracy included, among other things, the following:

- 8. It was part of the conspiracy that the defendants WOLFE, EDELL, and LEGEL would create and use bogus trusts, limited liability companies, corporation soles, and corporations to conceal approximately \$750,000 in business income and assets including real estate and vehicles from the IRS.
- 9. It was further part of the conspiracy that, in order to conceal his business income from the IRS, defendant WOLFE would instruct his clients to direct payment for services he rendered to the bogus trusts and limited liability companies he created with the assistance of defendants LEGEL and EDELL.
- 10. It was further part of the conspiracy that, in order to further conceal defendant WOLFE's business income, defendants WOLFE and EDELL cashed approximately \$643,000 in checks made payable to the bogus trusts and limited liability companies at a check cashing store.
- 11. It was further part of the conspiracy that, after being questioned by investigators with the IRS about his business income, defendant WOLFE filed false and fraudulent tax returns failing to report substantially all of his business income.

#### **OVERT ACTS**

In furtherance of the conspiracy and to effect the objects thereof, one or more of the conspirators committed and caused to be committed at least one of the following overt acts, among others, in the Southern District of Florida and elsewhere:

12. On or about August 31, 1992, defendants WOLFE and EDELL caused the creation of Penta Trust, naming defendant EDELL as trustee.

- 13. Beginning on or about December 27, 1999, defendant WOLFE instructed his client, In the Pines at Parkland, to make payment for drafting services he rendered to Penta Trust.
- 14. Beginning on or about December 1, 2000, defendant WOLFE instructed client B.C. to make payment for drafting services rendered by WOLFE to Penta Trust.
- 15. On or about November 1, 2001, defendant EDELL purchased property in Jupiter Farms, Florida, which she paid for in cash and titled in her name.
- 16. On or about October 16, 2003, defendant WOLFE, purporting to be a priest, caused the creation of the Office of the Presiding Overseer of the Domicile Creators Services Ministry, a Nevada corporation sole, purporting to be a tax exempt religious entity.
- 17. On or about October 24, 2003, defendant WOLFE purchased a 2004 Harley Davidson motorcycle for approximately \$11,868 which he registered in the name of the Office of the Presiding Overseer of the Domicile Creators Services Ministry and His Successors.
- 18. On or about November 20, 2003, defendant WOLFE, with the assistance of defendant LEGEL, caused the creation of Sun Blest Designs, a Florida limited liability corporation.
- 19. On or about December 1, 2003, defendant EDELL executed a quit claim deed transferring title for the Jupiter Farms Property from herself to the Office of the Presiding Overseer of the Domicile Creators Services Ministry and His Successors.
- 20. On or about December 12, 2003, defendant WOLFE purchased a second 2004
  Harley Davidson motorcycle for approximately \$14,998 which he registered in the name of the
  Office of the Presiding Overseer of the Domicile Creators Services Ministry and His Successors.
- 21. On or about January 15, 2004, defendants WOLFE and LEGEL opened a checking account in the name of Sun Blest Designs at Wachovia Bank, which was used to deposit

WOLFE's business income and to pay the personal expenses of EDELL and WOLFE.

- 22. On or about June 10, 2004, defendant LEGEL caused the creation of Promethian Construction, a Florida corporation.
- 23. On or about July 1, 2004, defendant WOLFE executed a quit claim deed transferring title for the Jupiter Farms Property from the Office of the Presiding Overseer of the Domicile Creators Services Ministry and His Successors to Promethian Construction, Inc.
- 24. On or about July 29, 2004, defendant WOLFE instructed client B.C. to make payment for drafting services rendered by WOLFE to Sun Blest Designs, LLC.
- 25. On or about July 30, 2004, defendant WOLFE purchased three parcels of land in Cherokee Village, Arkansas and placed the property in the name of Sun Blest Designs, Inc.
- 26. On or about February 28, 2005, three days after being interviewed by Special Agents of the Internal Revenue Service, defendant LEGEL closed the Sun Blest Designs Wachovia Bank Account and transferred the outstanding balance into two other bank accounts he had control of, from which he then paid the expenses of defendants WOLFE and EDELL.
- 27. On or about December 23, 2005, defendant WOLFE filed false and fraudulent tax returns (Forms 1040) with the IRS for tax years 1999 through 2004 whereby he reported having \$600 of business income and omitted all of the income he had diverted to Penta Trust and Sun Blest Designs.

All in violation of Title 18, United States Code, Section 371.

#### COUNTS 2-7 (26 U.S.C. §7206(1))

1. The allegations contained in paragraphs 1 through 4 of the Introduction are realleged and incorporated therein.

2. On or about December 23, 2005, in the Southern District of Florida and elsewhere, defendant EARL R. WOLFE, a resident of Jupiter, Florida, did willfully make and subscribe to United States Individual Income Tax Returns, IRS Forms 1040, for the calendar years listed below, which were verified by a written declaration that they were made under the penalties of perjury and were filed with the IRS, which said tax returns he did not believe to be true and correct as to every material matter in that the tax returns included the false items listed below, whereas he then and there well knew and believed that the amounts for said items were not the true and correct amounts.

Count	Year	False Item
2	1999	Line 22- Total Income (\$600)
3	2000	Line 22- Total Income (\$600)
4	2001	Line 22- Total Income (\$600)
5	2002	Line 22- Total Income (\$600)
6	2003	Line 22- Total Income (\$600)
7	2004	Line 22- Total Income (\$600)

A TRUE BILL

**FOREPERSON** 

R. ALEXANDER ACOST

UNIȚED STATES ATTORNEY

JEFFREY A. NEIMAN

ASSISTANT UNITED STATES ATTORNEY

UNITED STATES OF AMER	CA CASE NO
vs.	CERTIFICATE OF TRIAL ATTORNEY*
EARL R. WOLFE, LINDA C. and I AWRENCE W I FGFI Court Division: (Select One)	Superseding Case Information:  New Defendant(s) Yes No  Number of New Defendants
Miami WPB _	Key West Total number of counts FTP
I do hereby certify that:	
<ol> <li>I have carefully c probable witness</li> </ol>	onsidered the allegations of the indictment, the number of defendants, the number of es and the legal complexities of the Indictment/Information attached hereto.
Court in setting t	the information supplied on this statement will be relied upon by the Judges of this heir calendars and scheduling criminal trials under the mandate of the Speedy Trial C. Section 3161.
<ol> <li>Interpreter: List language an</li> </ol>	(Yes or No) No d/or dialect
<ol> <li>This case will tal</li> </ol>	se <u>3-5</u> days for the parties to try.
<ol> <li>Please check ap (Check only one)</li> </ol>	propriate category and type of offense listed below: (Check only one)
I 0 to 5 days II 6 to 10 days III 11 to 20 days IV 21 to 60 days V 61 days and ove	X         Petty
6. Has this case be If yes: Judge: (Attach copy of dispositiv	en previously filed in this District Court? (Yes or No) No  Case No e order)
Has a complaint been file If yes: Magistrate Case No. Related Miscellaneous n Defendant(s) in federal c Defendant(s) in state cus	umbers:ustody as of
Rule 20 from the	District of
Is this a potential death p	penalty case? (Yes or No) No
7. Does this case of April 1, 2003?	riginate from a matter pending in the U.S. Attorney's Office prior to Yes X No
8. Does this case of April 1, 1999? If yes, was it per	riginate from a matter pending in the U. S. Attorney's Office prior to  ———— Yes ———————————————————————————————
<ol> <li>Does this case of prior to October</li> </ol>	originate from a matter pending in the Northern Region of the U.S. Attorney's Office 14, 2003 YesX_ No
10. Does this case of May 18, 2003?	riginate from a matter pending in the Narcotics Section (Miami) prior to  ——— Yes ——— No
11. Does this case of to September 1,	riginate from a matter pending in the Central Region of the U.S. Attorney's Office prior 2007?X_ Yes No  JEFFRED A. NEIMAN ASSISTANT UNITED STATES ATTORNEY Court Bar No. 544469

\*Penalty Sheet(s) attached

### ULTED STATES DISTRICT COLT SOUTHERN DISTRICT OF FLORIDA PENALTY SHEET

Defendant's Name:	EARL R. WOLFE	No.:	
Count #1:			
Conspiracy to Imped	<u>le the Internal Revenue Se</u>	ervice; in violation of 18:371	
*Max Penalty: _Five.	years' imprisonment; 3 years'	ars' supervised release and \$250,000 fin	e
		•	
Counts #2-7:		02(4)	
*Max Danelty Three	urns; in violation of 26:720	ears' supervised release and \$250,000 fir	
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REV. 12/12/96

# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA PENALTY SHEET

Defendant's Name: _LINDA C. EDELL No.:				
Count #1:				
Conspiracy to Impede the Internal Revenue Service; in violation of 18:371				
*Max Penalty: Five years' imprisonment; 3 years' supervised release and \$250,000 fine				
Count #:				
*Max Penalty:				
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*Max Penalty:				

\*Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms or forfeitures that may be applicable.

# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA PENALTY SHEET

Defendant's Name: <u>LAWRENCE W. LEGEL</u>	_ No.:
Count #1: Conspiracy to Impede the Internal Revenue Service	
*Max Penalty: Five years' imprisonment; 3 years's	upervised release and \$250,000 fine
Count #:	
*Max Penalty:	
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*Max Penalty:	
*Refers only to possible term of incarceration, special assessments, parole terms or forfeitures	

- REV. 12/12/96

#### THE FOLLOWING IS FURNISHED FOR INFORMATION ONLY:

DEFENDANT'S NAME:	FARLR WOLFF	
ALIAS:		
LAST KNOWN RESIDENCE:		
LAST KNOWN EMPLOYMENT:		<del> </del>
PLACE OF BIRTH:		
DATE OF BIRTH:	9/15/48	
HEIGHT:	WEIGHT:	
SEX:Male	RACE:	
HAIR:	EYES:	
SCARS, TATTOOS, OTHER DISTINGU	JISHING MARKS:	
FBI NUMBER:		
COMPLETE DESCRIPTION OF AUTO:		-
INVESTIGATIVE AGENCY AND ADDR	ESS: IRS/CID S/A Darci Smith 300 L	ock Road, #200, Deerfield Beach, FL 33442
23,2,132.13.,110,1001		

#### **BOND RECOMMENDATION**

Defendant:

EARL R. WOLFE

\$100,000 Corporate Surety Bond with Nebbia is recommended.

By:

EEFREY A. NEIMAN

ASSISTANT UNITED STATES ATTORNEY

Last Known Address:

Agent: IRS/CID S/A Darci Smith

#### THE FOLLOWING IS FURNISHED FOR INFORMATION ONLY:

DEFENDANT'S NAME:	LINDA C. FDFI L
ALIAS:	
LAST KNOWN RESIDENCE:	
PLACE OF BIRTH:	
	•
DATE OF BIRTH:	
SOCIAL SECURITY NUMBER:	527-82-1092
HEIGHT:	WEIGHT:
SEX: Female	RACE:
HAIR: EYES	: <u></u>
SCARS TATTOOS OTHER DISTINGUISHING	MARKS:
	<del>-</del>
	···
INVESTIGATIVE AGENCY AND ADDRESS. ID	S/CID S/A Darci Smith, 300 Lock Road, #200, Deerfield Beach, El. 33442
INVESTIGATIVE AGENCT AND ADDRESS. LIE	WALL DIG LEGIS SHILL, SHALL DEA THOU, #210, DECLICIO DEGLI, CL 35442

#### **BOND RECOMMENDATION**

Defendant:

LINDA C. EDELL

\$100,000 Corporate Surety Bond with Nebbia is recommended.

By:

JEFFRHY A. NEIMAN

ASSISTANT UNITED STATES ATTORNEY

Last Known Address:

Agent: IRS/CID S/A Darci Smith

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UNITED	STATES OF AMERIC	A				
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#### THE FOLLOWING IS FURNISHED FOR INFORMATION ONLY:

DEFENDANT'S NAME:	LAWRENCE W LEGEL
ALIAS:	
LAST KNOWN RESIDENCE:	
LAST KNOWN EMPLOYMENT:	
	6/12/46
	368-44-2796
	WEIGHT:
	_RACE:
	S:
	S MARKS:
FBI NUMBER:	
INVESTIGATIVE AGENCY AND ADDRESS: IF	RS/CID S/A Darci Smith, 300 Lock Road, #200, Deerfield Beach, FL 33442

#### **BOND RECOMMENDATION**

Defendant:

LAWRENCE W. LEGEL

\$100,000 Corporate Surety Bond with Nebbia is recommended.

By:

JEFFREY A. NEIMAN

ASSISTANT UNITED STATES ATTORNEY

Last Known Address:

Agent: IRS/CID S/A Darci Smith